

Lincoln, Nebraska
December 15, 2006

COMMUNITY CORRECTIONS COUNCIL
MEETING MINUTES

The Community Corrections Council (Council) met Friday, December 15, 2006, 9:00 a.m., at the Cornhusker Hotel, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

Members present:

Scot L. Adams
Mike Behm
Esther Casmer
Catherine Cook
Jeff Davis
Ellen Fabian-Brokofsky
The Honorable Karen B. Flowers
Aileen Gruendel
Robert Houston
The Honorable John P. Icenogle
Joe Kelly
Robert Lindemeier
Jim McKenzie
Ron Sorenson – HHSS designee
Senator John Synowiecki
Janice Walker
Senator Kermit A. Brashear, Chair

Others present:

Tony Ahrendt
Bruce Ayers
Jerome Barry
Scott Carlson
Michael Dunkle
Jared Gavin
Kim Etherton
Steve King
Doug Koebernick
John Krejci
Scott Matson
Deb Minardi
Connie Nemec
Mike Overton
Jim Pieper
Rich Robinson
T. Hank Robinson
Christine Salvatore
Larry Wayne
Dave Wegner
Linda Wittmuss

Members absent:

Julie Hippen

Council Staff Present:

Linda Krutz, Executive Director
Julie Rogers
Jennifer Doné

CALL TO ORDER, WELCOME & OVERVIEW

Chairperson Brashear called the Council meeting to order at 9:00 a.m. and gave an overview of the meeting. Attendance is indicated above.

Chairperson Brashear welcomed Scott Matson from the Vera Institute of Justice.

The 2007 Council meeting dates were confirmed. They are:

January – no meeting
February 9
March 16
April 20
May 18
June 15
July 20
August 17
September 21
October 19
November 16
December 14

APPROVAL OF MINUTES

The minutes of the October 20, 2006, meeting were approved as presented.

TIMELINE

The 2007 Timeline was reviewed and approved as presented.

TARGET POPULATION REPORT & SSAS UPDATE

Mike Dunkle of the Crime Commission reviewed the Target Population Report and the new Specialized Substance Abuse Supervision (SSAS) Report. The SSAS Report illustrates the number of participants in SSAS per district for the current and previous month and will be an ongoing report presented at each Council meeting.

UNIFORM DATA ANALYSIS FUND & DATA COLLECTION

Mike Overton of the Crime Commission discussed the process for using funds from the Uniform Data Analysis Fund for data collection projects. Overton requested that any new projects be required to establish data requirements prior to project initiation and report for project monitoring.

LETTER OF GRANT SUPPORT – STATEWIDE JUSTICE MENTAL HEALTH COLLABORATION PROJECT

Linda Krutz received a request for grant support for the Statewide Justice Mental Health Collaboration Project. The Grant Review Support Committee convened to discuss the request,

and all members of the committee agreed to support the grant. The letter of support was distributed to Council members.

JUSTICE BEHAVIORAL HEALTH COMMITTEE

Jerome Barry, Co-Chair of the Justice Behavioral Health Committee (Committee), discussed the last Committee meeting. The Committee is in the process of drafting guidelines including mission, vision, expected outcomes, and membership. Subcommittee charge statements are being finalized. The Committee has also drafted a provider follow-up survey to reevaluate provider processes after the adoption of the Standardized Model. The minutes and agendas of past meetings are available on the Crime Commission's website at www.ncc.ne.gov.

COMMUNITY CORRECTIONS FEE REPORT

Bruce Ayers of the Crime Commission reviewed the Community Corrections Fees Report, the Financial Report for FY 05/06 and 06/07, the Summary of Probation and Parole Funding, and "The Appropriation Process." The Parole Programming Cash Fund was added to the Summary of Probation and Parole Funding. Ayers gave a summary of the appropriation process including an explanation of carryover appropriations and lapsed funds.

COMMUNITY CORRECTIONS PROGRAMS REPORT & PROBATION FEE PROPOSAL

Deb Minardi, Community Corrections Programs Coordinator, presented the Community Corrections Programs Report which reviewed the history, purpose, and goals of the SSAS program and gave annual and daily cost estimations per offender for Traditional Probation, Intensive Supervision Probation, SSAS, and Day and Evening Reporting Centers (DERC). Minardi also presented the "Reporting Center Services (as of 12/01/06)" which depicted the services available at each DERC. As of January 1, 2007, all DERC will be open weekday evenings. Some DERC are already open weekend hours.

The Council received a letter in October, 2006 from the Governor voicing concerns regarding Probation's budget and progress of community corrections programs. Probation worked closely with Rich Robinson from the Governor's Budget Office to address these issues and compiled the "Proposed Cash Fund Budget Plan for State Probation Community Corrections." Probation requested approval of one-time expenditures for Research & Evaluation (\$100,000), Incentives (\$19,000), Community Corrections Interdisciplinary Administrative Costs (\$60,000), Public Information and Outreach (\$25,000), Problem Solving Drug Court Study (\$117,635), and Continuous Alcohol Monitoring Study (\$576,000) for a total of \$897,635 (FY 06/07); on-going expenditures for Treatment Services (\$1,973,431 FY 06/07, \$3,946,962 FY 07/08); and on-going expenditures for Operations Support for Day Reporting Centers (\$45,000 FY 06/07, \$90,000 FY 07/08).

Council member Scot Adams *made a motion to approve Probation's request for one-time expenditures (\$897,635 FY 06/07), on-going expenditures for Treatment Services (\$1,973,431 FY 06/07, \$3,946,962 FY 07/08), and on-going expenditures for Operations Support for Day Reporting Centers (\$45,000 FY 06/07, \$90,000 FY 07/08).* Mike Behm seconded the motion and the motion passed.

PAROLE FEE PROPOSAL

Jim McKenzie, Parole Administrator, stated that Parole Administration is working on a inter-local agreement with Probation to establish a payment system for the transfer of funds from the Parole cash fund to Probation for parolees who will be receiving SSAS services.

DISTRICT COURT JUDICIAL SURVEY PRELIMINARY REPORT

The Preliminary Report of the District Court Judicial Survey was distributed. The Council surveyed the District Court Judges in order to collect their opinions about the availability, accessibility, and affordability of community-based resources to offenders. This report includes the numerically scored items. The analysis of answers to open ended questions will be presented at the next Council meeting. Forty-two out of fifty-five District Court Judges completed the survey.

There was discussion about a letter from Judge John Murphy to the Council included in his response to the District Court Judges Survey.

2007 LEGISLATIVE SESSION OBJECTIVES

Senator Brashear suggested presenting a bill which would provide an opportunity to address legislative issues as they arise during the legislative session. With no objections, Council staff will proceed as directed.

There was discussion about the Council's appropriations for the upcoming biennium. There were concerns that a flat-line budget contradicts the idea of community corrections because it would hinder development of such a new program.

DRUG COURT PERSONNEL & REHABILITATIVE SERVICES APPROPRIATIONS

Judge Icenogle discussed the Drug Court personnel & rehabilitative services appropriations. Probation was designated as the agency to administer funds with the intent that some of the funds would be available for non-Probation programs (i.e. Drug Courts). Because of the need for uniformity and accountability, it was the consensus of the Nebraska Supreme Court that all problem-solving courts, except the family dependency drug courts, be required to participate in standardized inter-local agreements with Probation in order to access those funds. The agreements would provide that at least the coordinator and possibly all staff in those courts will become employees of Probation and be subject to Probation policies and procedures.

For the Douglas County Drug Court, Lancaster County Drug Court and Central Nebraska Drug Court to access treatment monies provided to the Council through general fund appropriations, those programs have to become Probation programs, with Probation personnel administering and supervising the programs. Judge Icenogle has talked with the primary Judge of the Douglas County Drug Court and Judge Flowers from the Lancaster County Drug Court. All three Judges consider their drug courts successful and do not intend to have their courts become probationary programs. For this reason, it is uncertain at this time as to how these drug courts will have access to the treatment dollars intended by the Council to go outside the Probation system. Judge Icenogle suggested that in the future, the Council should structure the funding to recognize that not all treatment monies and program monies should be channeled through an existing agency for their expenditures and that requires their personnel to be the employees of the program.

CRIMINAL JUSTICE & SUBSTANCE ABUSE INFORMATION

In April, Bob Lindemeier attended the National Summit on Methamphetamine and distributed information from the summit, including the "Evaluation of the Substance Abuse and Crime Prevention Act" from the University of California Los Angeles, "Proposition 36: Five Years Later" from the Justice Policy Institute, and a handout from the Matrix Institute on Addictions.

SENTENCING GUIDELINES FOR FELONY DRUG OFFENDERS – PETITION THE SUPREME COURT FOR RULE ADOPTION

Since the last meeting, the Sentencing Guidelines for Felony Drug Offenses and supplemental documents were forwarded to Chief Justice Heavican. The Supreme Court requested that the Council file a petition for the adoption of the Sentencing Guidelines and a hearing will be held.

Council member Mike Behm *made a motion to petition the Supreme Court for the adoption of Sentencing Guidelines for Felony Drug Offenses*. Scot Adams seconded the motion and the motion passed. Lindemeier voted in opposition of the motion because the Nebraska Criminal Defense Attorneys Association is not in favor of the adoption of Sentencing Guidelines for Felony Drug Offenses.

METROPOLITAN RECIDIVISM REDUCTION CENTER REPORT

T. Hank Robinson gave a PowerPoint presentation summarizing the Final Report of the UNO Recidivism Reduction Center Report.

PUBLIC INFORMATION CAMPAIGN

An outline of the substance of the Public Information Campaign was distributed. The intent of the Campaign is to have a consistent method of informing the public on the purpose, progress, and goals of the Council and community corrections programs. Council members were asked to forward any suggestions for the Campaign to Council staff.

CONCLUDING REMARKS & ADJOURNMENT

There being no further business, the meeting was adjourned.

The next scheduled meeting of the Council is Friday, February 9, 2007, 9:00 a.m., in Lincoln, Nebraska.

Respectfully submitted,

Jennifer K. Doné